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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/760,839 | 01/17/2001 | Jung Hye Lee | 0465-0807P-SP | 4589 |
| 2292 | 7590 | 08/11/2004 | EXAMINER | |
| BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747 | | | BELIVEAU, SCOTT E | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2614 | 3 |

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/760,839

Applicant(s)

LEE, JUNG HYE

Examiner

Scott Beliveau

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-7 is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 January 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

2. The drawings are objected to because the labels contain a number of misspellings. For example, in Figure 2 the label "fream_header29" should read "frame_header29". Similarly, the terms "frema_header" in Figure 3 should read "frame_header". Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Art Unit: 2614

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include reference character(s) not mentioned in the description. In particular, the examiner cannot find any of the reference numbers of the Figures within the specification. Corrected drawing sheets, or amendment to the specification to add the reference character(s) in the description, are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.
5. The disclosure is objected to because the term "gemster" should be amended to refer to "Gemstar" (Page 2, Line 21) and "ACID" should be amended to reference "SCID" (Page 9, Line 19). Appropriate correction is required.
6. The use of the trademark Gemstar® and DirectTV® has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Art Unit: 2614

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Allowable Subject Matter

7. Claims 1-7 are allowed.
8. The following is a statement of reasons for the indication of allowable subject matter:

The art of record either alone or in combination fails to particular disclose or suggest the claim when considered as a whole and particularly including a "frame_filter section, composed of a plurality of headers, for being mapped on the SCID-filter section in a multi-to-multi correspondence so that at least one of the headers corresponds to the plurality of SCIDs".

As to the art of record, the Finseth et al. reference discloses a technique for the transmission and assembly of program guide data. Program guide data is organized into objects which are further broken into multiple frames each of which has an associated header. The frames comprise a plurality of packets with headers uniquely identified via SCIDs. The reference suggests the usage of a "SCID filter section" so as to retrieve SCIDs of interest and associated packets which are reassembled via a "memory section". While the reference discloses the existence of frame headers, it is unclear if a mapping comprising a multi-to-multi correspondence exists. Accordingly, it is unclear if a modification to the Finseth et al. system to particularly utilize an analogous PID/section filter arrangement in

conjunction with SCID/frame organized program guide data arrangement would necessarily result in the particularly claimed invention.

The Jeong et al. reference discloses the particular usage of a PID/section filter. The teachings appear to be applicable to applicant's related art. The reference, however, does not disclose or suggest the particular usage of such in program guide data conforming with the DirectTV® Advanced Program Guide™.

The Freimann reference discloses a particular method for filtering MPEG information via section level filtering that further takes advantage of a bit map. The reference appears similar in operation to applicant's related art, however, like applicant's related art there is no suggestion so as to utilize its teachings particularly in connection with the processing of program guide data conforming with the DirectTV® Advanced Program Guide™.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure as follows.

- The Finseth et al. (US Pat No. 6,665,870) reference discloses a method for organizing program guide information such that program guide objects are broken into multiple frames with associated headers. The frames further comprise a plurality of packets with headers uniquely identified via SCIDs.
- The Freimann (US Pat No. 6,604,243) reference discloses a fast matching algorithm that uses a memory space efficient data structure to perform MPEG compliant filtering in a set top box.

Art Unit: 2614

- The Arsenault et al. (US Pat No. 6,658,661) reference discloses a direct-to-home satellite system that is operable to distribute and demultiplex program guide information in conjunction with a SCID filter.
- The Chaney et al. (US Pat No. 5,515,106) reference discloses a packetized audio/video transmission system that utilizes a SCID filter in order to extract program guide information.
- The Tamer et al. (US Pat No. 5,459,789) reference discloses a method and apparatus for selecting predetermined packets for demultiplexing based on SCID filtering techniques.
- The Chaney et al. (US Pat No. 5,642,153) reference discloses a television system for receiving a plurality of digitally encoded television programs including circuitry for selecting a particular digital data transmission channel from a plurality of digital data transmission channels.
- The Rohatgi et al. (US Pat No. 5,625,693) reference discloses an executable interactive program interface that utilizes SCID filtering and message authentication.
- The Anderson et al. (US Pat No. 6,091,772) reference discloses a method for decoding an MPEG-2 compliant packetized data stream using table section filters.
- The Jeong et al. (US Pat No. 6,654,423) reference discloses a PID/section filter which is adapted without any restriction to an ATSC standard or a DVB standard.

This application is in condition for allowance except for the following formal matters:

- Objections to the specification.

Art Unit: 2614

▪ Objections to the Figures.


Prosecution on the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. A shortened statutory period for reply to this action is set to expire TWO MONTHS from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Beliveau whose telephone number is 703-305-4907. The examiner can normally be reached on Monday-Friday from 8:30 a.m. - 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 703-305-4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SEB
August 3, 2004


JOHN MILLER
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